

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

BRIGHAM YOUNG UNIVERSITY, and
DR. DANIEL L. SIMMONS,

Plaintiffs,

vs.

PFIZER, INC., et al.,

Defendants.

ORDER ON PFIZER’S MOTION TO
STRIKE PORTIONS OF
PLAINTIFFS’ SUPPLEMENTAL
BRIEF RE: INVENTORSHIP

Case No. 2:06-CV-890 TS

This matter is before the Court on Pfizer’s Motion to Strike Portions of Plaintiffs’ Supplemental Brief Re: Inventorship. At the March 9, 2012, hearing in this matter, the Court requested supplemental briefing on the effect of two cases—*Trovan, Ltd. v. Sokymat SA, Iro*¹ and *Falana v. Kent State University*²—on BYU’s joint inventorship claims. Pfizer has moved to strike BYU’s supplemental brief on the grounds that it exceeds the scope of the Court’s request. The Court will grant the Motion to Strike to the extent that BYU’s supplemental brief goes

¹299 F.3d 1292, 1302 (Fed. Cir. 2002).


²2012 WL 171550 (Fed. Cir. Jan. 23, 2012).

beyond the boundaries of the Court's request. The Court will only rely on BYU's brief to the extent it is helpful to the Court in addressing the effect of *Trovan* and *Falana*. It is therefore

ORDERED that Pfizer's Motion to Strike Portions of Plaintiffs' Supplemental Brief Re: Inventorship (Docket No. 901) is GRANTED. Those portions that do not conform to the Court's request for supplemental briefing will be disregarded.

DATED March 20, 2012

BY THE COURT:



TED STEWART
United States District Judge